

## PATENT COOPERATION TREATY

## PCT

22 SEP 2004

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>PCT-03-01</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/CA 03/00380</b>	International filing date (day/month/year) <b>18/03/2003</b>	(Earliest) Priority Date (day/month/year) <b>26/03/2002</b>
Applicant <b>WELICHEM BIOTECH INC.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 7 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

**1. Basis of the report**

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).
- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing :
- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.
2. ☐ Certain claims were found unsearchable (See Box I).
3. ☒ Unity of invention is lacking (see Box II).

**4. With regard to the title,**

- ☐ the text is approved as submitted by the applicant.
- ☒ the text has been established by this Authority to read as follows:

**DITHIOLOPYRROLONE DERIVATIVES USEFUL IN THE TREATMENT OF PROLIFERATIVE DISEASES**

**5. With regard to the abstract,**

- ☐ the text is approved as submitted by the applicant.
- ☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

**6. The figure of the drawings to be published with the abstract is Figure No.**

- ☐ as suggested by the applicant.
- ☐ because the applicant failed to suggest a figure.
- ☐ because this figure better characterizes the invention.
- ☐ None of the figures.

## INTERNATIONAL SEARCH REPORT

International Application No

P A 03/00380

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07D495/04 A61K31/407 A61P35/00 C07D519/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07D A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, BIOSIS, EMBASE, BEILSTEIN Data, PAJ, CHEM ABS Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 99 12543 A (CHEN GENHUI ;LI JIANXIONG (CA); WEBSTER JOHN MALCOLM (CA)) 18 March 1999 (1999-03-18) cited in the application Claims 1, 3-4, 10, 13, 16; compounds XN0, XN1, XN3; Table on p. 12 Figure 1	1-7
X	CELMER, WALTER D. ET AL: "A common hydrolysis product of thiolutin and aureothricin" ANTIBIOTICS ANN. 1953-54, PROC. SYMPOSIUM ANTIBIOTICS (WASH., D.C.), 1953, pages 622-625, XP009011765 Compounds (X) and (XI); p. 623, l. 9-15 ----- -/--	1-7

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

## \* Special categories of cited documents:

\*A\* document defining the general state of the art which is not considered to be of particular relevance

\*E\* earlier document but published on or after the international filing date

\*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

\*O\* document referring to an oral disclosure, use, exhibition or other means

\*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*A\* document member of the same patent family

Date of the actual completion of the international search

18 June 2003

Date of mailing of the international search report

24 11. 2003

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,

Authorized officer

Rivat. C.

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/CA 03/00380

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	GB 2 173 499 A (ICI PLC) 15 October 1986 (1986-10-15) Claims 1, 4-6; formula (I); Table I, compounds 4-5, 12, 16, 22; example 1 -----	1,6
X	PATENT ABSTRACTS OF JAPAN vol. 012, no. 358 (C-531), 26 September 1988 (1988-09-26) & JP 63 112586 A (NIPPON KAYAKU CO LTD), 17 May 1988 (1988-05-17) Formula (VI) abstract -----	1,6
X	WO 94 28001 A (SMITHKLINE BEECHAM PLC ;BAGGALEY KEITH HOWARD (GB); BROOM NIGEL JO) 8 December 1994 (1994-12-08) Claims 1-2; formula (I) -----	1,6
P,X	LAMARI L. ET AL.: "New Dithiolopyrrolone Antibiotics from Saccharothrix sp. SA 233. I. Taxonomy, Fermentation, Isolation and Biological Activities" J. ANTIBIOTICS, vol. 55, no. 8, 2002, pages 696-701, XP009011640 Compounds 1 and 2 -----	1,6

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/CA 03/00380

## Box I Observations where certain claims were found unsearchable (Continuation of Item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of Item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
  
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
  
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:  
1-7 (all in part)

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/SA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-7 (all in part)

Dithiolopyrrolone derivatives substituted in 6-position by an (unsaturated hydrocarbon)carbonyl-amine and their use as antiproliferative agents  
---

2. claims: 1-7 (all in part)

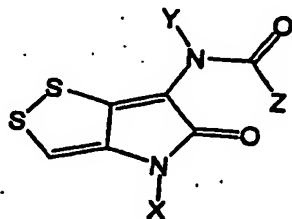
6-Amido-dithiolopyrrolone derivatives substituted in 4-position by a cyclic moiety and their use as antiproliferative agents  
---

3. claims: 8-10

6-Dimethylaminodithiolopyrrolone derivatives and their use as antiproliferative agents  
---

## Box III TEXT OF THE ABSTRACT (Continuation of Item 5 of the first sheet)

The present invention provides novel dithiolopyrrolone compounds of formula



and their salts, which are useful as treatment for cancer and other proliferative diseases. The present invention also provides therapeutic compositions comprising particularly useful types of dithiolopyrrolones, the salts thereof, and methods of using the compounds within such types, particularly in treating proliferative diseases such as cancer.

BEST AVAILABLE COPY

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

CA 03/00380

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9912543	A	18-03-1999	CA 2212237 A1	05-03-1999
			AU 759990 B2	01-05-2003
			AU 9057098 A	29-03-1999
			WO 9912543 A1	18-03-1999
			CN 1360891 A	31-07-2002
			CN 1276723 T	13-12-2000
			EP 1009401 A1	21-06-2000
			JP 2001515861 T	25-09-2001
GB 2173499	A	15-10-1986	AU 5245986 A	07-08-1986
			DE 3602148 A1	07-08-1986
			FR 2590573 A1	29-05-1987
			JP 61183290 A	15-08-1986
			ZA 8600175 A	29-10-1986
JP 63112586	A	17-05-1988	NONE	
WO 9428001	A	08-12-1994	AU 6928294 A	20-12-1994
			WO 9428001 A1	08-12-1994
			EP 0699203 A1	06-03-1996
			JP 8510265 T	29-10-1996
			ZA 9403452 A	16-05-1995